

**IN THE CIRCUIT COURT OF COFFEE COUNTY, ALABAMA  
ENTERPRISE DIVISION**

WALTER WREN WYATT, III )

Plaintiff, )

v. )

MORTGAGE ELECTRONICS )  
REGISTRATION SYSTEMS, INC.; )  
R. JAMES NICHOLSON IN HIS CAPACITY )  
AS SECRETARY OF VETERANS AFFAIRS; )  
et. al., )

Defendants. )

1:07CV 326-mht  
CASE NO.: CV-2006-275

**NOTICE OF FILING NOTICE OF REMOVAL**

PLEASE TAKE NOTICE that on the 13<sup>th</sup> day of April, 2007, the United States filed in the office of the Clerk of the United States District Court for the Middle District of Alabama a notice of removal of the above-styled action to that court. A copy of that notice is attached hereto.

A copy of the notice of removal is being filed with the circuit clerk of Coffee County, Alabama, pursuant to 28 U.S.C. § 1442(a)(1).

Respectfully submitted this 13<sup>th</sup> day of April, 2007.

LEURA G. CANARY  
United States Attorney

By: 

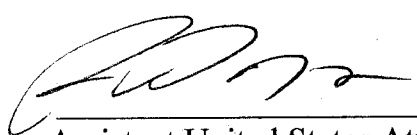
R. RANDOLPH NEELEY  
Assistant United States Attorney  
Bar Number: 9083-E56R  
Attorney for Defendant  
Post Office Box 197  
Montgomery, AL 36101-0197  
Telephone No.: (334) 223-7280  
Facsimile No.: (334) 223-7418  
**E-mail: rand.neeley@usdoj.gov**

**CERTIFICATE OF SERVICE**

I hereby certify that I have this date served a copy of the foregoing upon counsel for the Plaintiff, by mailing a copy of same, first class, postage prepaid, addressed as follows:

Charles Bradford Stinson  
515 Glover Avenue  
Enterprise, AL 36330

Dated this the 13<sup>th</sup> day of April, 2007.

  
Assistant United States Attorney

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

2007 APR 13 P 4:28

WALTER WREN WYATT, III

Plaintiff,

V.

# MORTGAGE ELECTRONICS

REGISTRATION SYSTEMS, INC.:

R. JAMES NICHOLSON IN HIS CAPACITY

AS SECRETARY OF VETERANS AFFAIRS;

et. al.,

Defendants.

**) CIVIL CASE NO.:**

## NOTICE OF REMOVAL

Petitioner, R. James Nicholson, Secretary of Veterans Affairs, by and through  
Leura G. Canary, United States Attorney for the Middle District of Alabama, respectfully  
petitions for removal of this action from the Circuit Court of Coffee County, Alabama, to  
the United States District Court for this District, and in support thereof, represent the  
following:

1. That Petitioner, R. James Nicholson, is a named Defendant in the above-captioned civil action which is pending in the Circuit Court of Coffee County, Alabama, Civil Action No. CV-06-275. Copies of all process, pleadings, and orders in such action and available to Defendant at the time of filing are attached hereto.

2. That the above-captioned action is one which may be removed without bond to this court pursuant to 28 U.S.C. §§ 1442(a)(1), for the reasons that this is a civil

action against an agency of the United States whereby an officer of the agency acting under color of such office has been sued in his official capacity.

WHEREFORE, Petitioner prays that said action be removed from the Circuit Court of Coffee County, Alabama.

DATED this 13<sup>th</sup> day of April, 2007.

LEURA G. CANARY  
United States Attorney

By: 

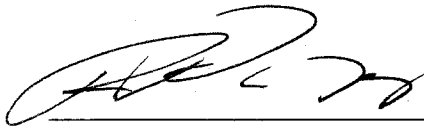
R. RANDOLPH NEELEY  
Assistant United States Attorney  
Bar Number: 9083-E56R  
Attorney for Defendant  
Post Office Box 197  
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**CERTIFICATE OF SERVICE**

I hereby certify that I have this date served a copy of the foregoing upon counsel for the plaintiffs, by mailing a copy of same, first class, postage prepaid, addressed as follows:

Charles Bradford Stinson  
515 Glover Avenue  
Enterprise, AL 36330

Dated this the 13<sup>th</sup> day of April, 2007.

  
Assistant United States Attorney